REMARKS

Claims 1-20 are in this application and are presented for consideration. By this amendment, Applicant has amended claim 3 for minor details. It is Applicant's position that the changes to claim 3 do not raise any new issues and do not materially alter the scope of the claim.

Claims 1-6, 8-12, 14-18 and 20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Yokocho et al. (US 6,123,216) in view of Robinson (WO 92/06324).

The present invention addresses a problem that is not appreciated and not addressed by the teachings of Yokocho et al. and Robinson. The present invention solves the significant problem of attachment of a tank in areas of a motor vehicle that are difficult to access. Applicant has discovered the problem that it is often difficult to attach a tank to a motor vehicle wherein there is very little room to insert a screwdriver and a fastening means into a compact space of a motor vehicle since the length of the fastening means makes it very difficult to insert the screwdriver due to the tight space restrictions. Applicant has solved this problem by providing a fastening means that is inserted into an impermeable duct such that one end of the fastening means is surrounded by the tank volume. This means that the one end of the fastening means is recessed in the duct. This allows the duct to retain the fastening means while the tank is inserted into the motor vehicle. Once the tank is inserted into the space of the motor vehicle, more room is provided for a user to use a screwdriver or the like to attach the tank to the motor vehicle since the one end of the fastening means is recessed in the duct and

is not extending outside of the tank. This advantageously allows the tank to be quickly and more easily attached to the motor vehicle due to the one end of the fastening means being retained in the impermeable duct.

Yokocho et al. deals with a very different problem than that of the present invention. Instead of being concerned with mounting a tank in confined spaces of a motor vehicle as featured in the present invention, Yokocho et al. is merely concerned with solving the problem of forming a double-chamber tank at minimal costs. Yokocho et al. does not appreciate the problems associated with mounting a tank in areas of a motor vehicle that are difficult to access. Accordingly, the problem which is solved in Yokocho et al. is quite different. The rejection does not provide a basis for considering the claims as presented obvious.

Yokocho does not provide meaningful teachings or suggestions for the person of ordinary skill in the art which would lead to the provision of the combination of features as claimed. A critical aspect of the present invention is that the duct retains one end of the fastening means. This advantageously allows the tank of the present invention to be mounted with the fastening means therein so that the fastening means does not take up any space outside of the tank once the tank is inserted into the area of the motor vehicle. This prevents the one end of the fastening means from extending to a location outside of the tank. Yokocho et al. does not provide any teachings or suggestions for the advantages associated with retaining one end of a fastening means in a duct such that the fastening means is surrounded by the tank volume as claimed.

Yokocho et al. provides a very different tank structure than that of the present

invention. Compared with the present invention, Yokocho et al. only discloses a tank in which two tank parts are connected along the outer edge of the tank to form a double-chamber tank. Yokocho et al. does not teach and does not suggest a duct that is surrounded by a tank volume wherein one end of a fastening means is located within the duct such that the one end of the fastening means is surrounded by the tank volume. At most, Yokocho et al. directs a person of ordinary skill in the art toward connecting two tank parts along an outer edge of a tank. There is no teaching or suggestion in Yokocho et al. that would direct a person of ordinary skill in the art toward providing a duct that is surrounded by a tank volume wherein one end of the screw 81 or 82 is provided in the duct such that the one end is surrounded by the tank volume as claimed. As such, the prior art as a whole takes a completely different approach and fails to establish a prima facie case of obviousness as the prior art as a whole does not direct a person of ordinary skill in the art toward essential features as claimed in independent claims 1, 9 and 15.

Robinson discloses a pressurized fuel vessel having internal reinforcing means 20, 22 that extend between opposed axial end walls 12, 13. This is a very different structure from the present invention and the structure of Robinson solves a problem that is very different from that of the present invention. Robinson is concerned with retaining a fastening means during insertion of a tank in a restricted space in a motor vehicle as featured in the present invention. Instead of being concerned with providing a fastening means that takes up as little space as possible, Robinson addresses the problem of providing sufficient strength in axial end walls of a fuel vessel without significantly reducing the internal volume of the vessel. Robinson does

not provide any teaching or suggestion that would direct a person of ordinary skill in the art toward a tank structure having a duct that retains one end of a fastening means such that the one end of the fastening means is surrounded by the volume of the tank as claimed. Robinson provides no meaningful teachings or suggestions which would lead a person of ordinary skill in the art toward the advantages of providing one end of a fastening means within a duct such that one end of the fastening means is surrounded by a tank volume as featured in the present invention. According to the present invention, the duct retains one end of the fastening means so that the one end of the fastening means is recessed within the tank. This prevents the one end of the fastening means from extending to a location outside of the tank during mounting of the tank in compact areas of a motor vehicle. Since the one end of the fastening means of the present invention does not project outside of the tank, a user is provided with more room to insert a screwdriver or the like to fasten the fastening means to the motor vehicle. Robinson fails to direct a person of ordinary skill in the art toward such advantages associated with retaining one end of a fastening means in a duct since Robinson does not teach or suggest that one end of a fastening means is located within a duct such that the one end of the fastening means is surrounded by the volume of the fuel vessel as claimed. Figure 1 of Robinson clearly directs a person of ordinary skill in the art toward fastening means that are located outside of the fuel vessel volume. As such, the prior art as a whole does not establish a prima facie case of obviousness as the prior art as a whole does not direct a person of ordinary skill in the art toward essential features of the present invention. Accordingly, Applicant respectfully requests that the Examiner favorably consider claims 1, 9 and 15 as now presented and all claims that

respectively depend thereon.

The references as a whole fail to teach or suggest the combination of one end of a fastening means that is in contact with a stepped portion of a duct wherein the stepped portion of the duct is surrounded by a tank volume as featured in claims 3, 11 and 17. The fact that the one end of the fastening means is in contact with the stepped portion of the duct is significant in the present invention because it allows the duct to retain the fastening means while the tank is mounted in space confined areas of a motor vehicle. This prevents the end of the fastening means from projecting outside the tank so that there is more space available for the user to maneuver when fastening the fastening means to the motor vehicle. The final rejection takes the position that Yokocho et al. discloses a duct having a stepped portion as claimed. However, Yokocho et al. does not teach or suggest a duct having a stepped portion as claimed. Even assuming the hole through which bolts 81 or 82 of Yokocho et al. pass is the equivalent of the duct of the present invention as discussed in the final rejection (which Applicant maintains it is not), the hole does not extend through a volume of the tank as claimed. As such, the prior art as a whole takes a completely different approach and fails to establish a prima facie case of obviousness as the prior art as a whole does not direct a person of ordinary skill in the art toward essential features of the claimed combination. Accordingly, Applicant respectfully requests that the Examiner reconsider the rejection with respect to claims 3, 11 and 17.

Favorable consideration on the merits is requested.

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